IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No : 6720 of 2005

Between:

M/s. Zuari Cement Limited,

Krishna Nagar, Yerraguntla,
rep., by its Authorised Signatory, Sri Gopal K. Maheshwari,

KADAPA DISTRICT.

..... PETITIONER

AND

1 The Assistant Commissioner (CT) (LTU),

Kadapa Division, Kadapa.
2 The Appellate Deputy Commissioner,

Kurnool.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or order or direction, declaring the notice
dt.23-3-2005 issued U/s.17 of the APGST Act, by the 1st respondent, as illegal, inoperative and void and accordingly set-aside the same; (ii) and interdict the respondents from enforcing the demand covered by B2 notice dt.21-03-2005 for the Assessment year 2004-2005 until disposal of the appeal by the Appellate Deputy Commissioner, Kurnool.

Counsel for the Petitioner: Mr. S.CHAKRAPANI

Counsel for the Respondents: GP FOR COMMERCIAL TAX

The Court made the following :

ORDER: (PER GB,J.)

We have heard the learned counsel for the petitioner and the learned Government Pleader.

2. In view of the facts and circumstances, the Writ Petition is disposed of directing the 2nd respondent to dispose of the stay application, filed by the petitioner, expeditiously.

3. Till such time, there shall be stay of collection of the disputed tax.

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G.BIKSHAPATHY,J

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P.S.NARAYANA,J

30th March, 2005.

Note:

Issue operative portion by wire

at party's costs.

B/o

Tsy/es

To

1 The Assistant Commissioner (CT) (LTU)

KADAPA Division, KADAPA.

2 The Appellate Deputy Commissioner,

Kurnool.

3 Two CCs to the GP for Commercial Tax,

High Court of A.P., Hyderabad (O.U.T.)

4 Two CD copies